

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

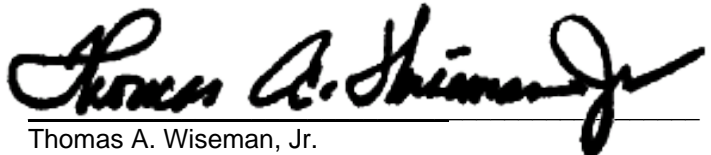
BILLY V. VANN,	)	
	)	
v.	)	3:11-00525
	)	
MICHAEL ASTRUE, Commissioner of Social Security.	)	

**ORDER**

Before the Court is the Report and Recommendation of Magistrate Judge Brown in which he recommends Plaintiff's Motion for Judgment on the Administrative Record be GRANTED in part and this action be remanded to the Commissioner for proceedings consistent with the Report and Recommendation. No objections have been filed.

The Court has read and considered the Report and Recommendation and finds the same to be correct in fact and law. It is therefore adopted by this Court. The Plaintiff's Motion for Judgment on the Administrative Record, Document #9, is hereby **GRANTED in part** and this cause is **REMANDED** to the Commissioner for consideration of Plaintiff's literacy and to consider Dr. Elalayli's August 2010 RFC assessment as new and material evidence.

IT IS SO ORDERED.

  
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Thomas A. Wiseman, Jr.  
Senior U.S. District Judge